IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1383 OF 2006

Zia Ahmed Alikhan ...Applicant.

V/s

The State of Maharashtra ....Respondent.

Mr. Parvez Ubharay for the applicant.
Ms. M.M. Deshmukh, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 10th April, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. This is an application for anticipatory bail filed by the applicant on an apprehension that he is likely to be arrested in connection with the offence punishable under section 498A of the Indian Penal Code. Initially, the applicant had filed an application in the Sessions Court. However, the said application was dismissed since a statement was made that no offence was registered against the present applicant. After the application was rejected on the aforesaid ground, the present complaint has been filed on 1/4/2006.

3. It will be appropriate if the application is moved before the Sessions court for anticipatory bail as is the usual practice. Applicant is given seven days'time to prefer the said application. In the meantime, the applicant not to be arrested in connection with the said offence for a period of seven days.

4. The Sessions Court may decide the application which will be preferred by the applicant on its own merits and in accordance with law and without being influenced by any observation made by this Court while passing this order.

5. Application is disposed of in the above terms.

V.M. KANADE, J.